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SENSITIVE
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SUBJECT: UZBEKISTAN: EMBASSY INPUT FOR OSCE HUMAN DIMENSION
MEETING

REF: STATE 60838

SENSITIVE BUT UNCLASSIFIED -- PLEASE HANDLE ACCORDINGLY

¶1. (SBU) Summary: Per reftel request on the Organization for Security and Cooperation in Europe (OSCE) Human Dimension Implementation Meeting (HDIM) in Warsaw (scheduled for September 29 - October 10), we are providing the following input for the pre-HDIM demarche to the Uzbek government. We would like the pre-HDIM demarche to commend the Uzbek government for the modest steps it has taken in 2008 to improve human rights - including reaching agreement with the ICRC on restarting prison visits, passing a new anti-trafficking law, obtaining parliamentary ratification of ILO conventions on child labor, and releasing several political prisoners - because we believe it will encourage the government to further implement these reforms before the HDIM convenes. We also want to use the pre-HDIM demarche as a tool to urge progress on specific human rights issues, including granting accreditation to the Human Rights Watch director in Tashkent and allowing the return of some of the non-governmental organizations and media that were forced to depart Uzbekistan following the 2005 Andijon events. Lastly, we would like to reaffirm our willingness to cooperate with the Uzbek government on human rights projects, including providing training to law enforcement officials on implementing the new habeas corpus law and using appropriate crowd-control tactics. End summary.

BEGIN DRAFT DEMARCHE TEXT:

¶2. (SBU) We commend the government of Uzbekistan for taking concrete steps to improve human rights in 2008, including: adopting legislation to abolish the death penalty and to implement habeas corpus; granting the International Committee of the Red Cross (ICRC) access to prisons; passing anti-human trafficking legislation that increases protections for victims; obtaining parliamentary ratification of two ILO conventions on child labor; continuing to make progress on addressing the UN Special Rapporteur for Torture's

recommendations from 2003; and releasing several political prisoners, including most recently human rights activist Mutabar Tojiboyeva.

13. (SBU) We urge the government to continue its positive momentum on reform by fully implementing steps it has already partially taken, including by: continuing to grant ICRC access to Uzbek prisons in line with the organization's international modalities and working with the ICRC to improve prison conditions and to provide training for law enforcement officials; passing criminal code amendments which will strengthen penalties against alleged human traffickers; allowing international monitors to conduct an objective assessment of the use of child labor during the fall cotton harvest (Comment: which is likely to show that the extent of child labor in Uzbekistan is less than what some non-government organizations have claimed. End comment.); releasing additional political prisoners, including those individuals that both the United States and EU countries have raised privately with government officials; and continuing our dialogue on improving religious freedom. In addition, we ask the Uzbek government to revive its commission that operated from 2004 - 2006, which reviewed the cases of individuals sentenced to prison for membership in banned religious organizations, and which reportedly resulted in over a thousand individuals being released from prison and reintegrated into society. We strongly believe that the reintegration of such individuals into Uzbek society is in the best long-term interests of both Uzbekistan and the United States.

14. (SBU) At the same time, we also express our concern over some negative steps on human rights the government has taken in 2008. We ask that the government reconsider its decision to deny accreditation to the current Human Rights Watch director in Tashkent, Igor Vorontsov. We also request that the government cease its harassment of certain minority religious congregations and to cease the extradition of individuals back to Uzbekistan who have sought political asylum abroad. Furthermore, we call on the government to begin to allow the return of non-governmental organizations (NGOs) and media which were forced to depart the country after the 2005 Andijon events. Many of these NGOs were positively contributing to Uzbekistan's economic and social development prior to their departure from the country. In addition, we believe that human rights organizations and media can play an important role in verifying and publicizing to the international community the recent positive steps that the Uzbek government has taken on human rights.

15. (SBU) In addition, the United States stands ready to cooperate with Uzbekistan on human rights programs. We reiterate our interest in contributing to the series of human rights-related events the government has planned for 2008, as outlined by President Karimov in his recent decree recognizing the 60th anniversary of the Universal Declaration of Human Rights. We are ready to provide training for law enforcement officials (including judges and prosecutors) on Uzbekistan's new habeas corpus law and to send Uzbek Parliamentarians, government officials, and religious leaders to the United States on exchange programs. We also are prepared to send U.S. government officials and international experts to attend conferences on human rights-related topics in Uzbekistan, including on religion. In regards to the 2005 Andijon events, we are interested in exploring the possibility of providing training to Uzbek law enforcement officials on appropriate crowd control tactics, so as to prevent a similar tragedy from ever happening again.

16. (SBU) The United States recognizes that the Uzbek government has taken steps to improve human rights in 2008. Between now and when the HDIM meets in late September, if Uzbekistan acts to fully implement these reforms, and also addresses some of our other concerns on human rights, the United States will have much positive news to report about Uzbekistan at the HDIM. The United States also stands willing to facilitate this process by providing assistance on human rights-related projects.

